

FINAL ENVIRONMENTAL IMPACT STATEMENT

June 2002

LAKE TOHOPEKALIGA EXTREME DRAWDOWN AND HABITAT ENHANCEMENT PROJECT OSCEOLA COUNTY, FLORIDA

VOLUME I

**LEAD AGENCY: Jacksonville District, U.S. Army Corps of Engineers
COOPERATING AGENCIES: South Florida Water Management District
and Florida Fish and Wildlife Conservation Commission**



**U.S. Army Corps
of Engineers
Jacksonville District**

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CENTRAL AND SOUTHERN FLORIDA PROJECT

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The official closing date for the receipt of comments is 30 days from the date on
which the Notice of Availability of this Final EIS appears in the Federal Register.

Abstract: This final environmental impact statement (FEIS) evaluates the environmental impacts of alternatives associated with a temporary deviation in water levels that would allow lake levels to be lowered in Lakes Tohopekaliga (Toho), Cypress, Hatchineha, and Kissimmee for the purpose of improving habitat for fish and wildlife species. Three alternatives are considered: gravity flow to lower the four lakes, gravity flow to lower the lakes with flexible refill of the lakes (the preferred alternative), and no action. It is also proposed by Florida Fish and Wildlife Conservation Commission (FWC) under Department of Army (DA) permits to perform muck removal operations while the lakes are at low levels. This aspect of the project is being reviewed through the Corps regulatory permit process. Long-term benefits of the action would be the muck and nuisance vegetation reduction, improved recreational fishery habitat, and improved boat access throughout the lakes. Adverse/controversial impacts and issues are in-lake disposal islands, potential loss of revenue to local fish camps during the drawdown, temporary limited boat access on and between the lakes and possibly the Kissimmee River during the drawdown due to low water levels, and groundwater effects; also, impacts on snail kites are being assessed during formal consultation proceedings with the US Fish and Wildlife Service.



U.S. Army Corps
of Engineers
JACKSONVILLE
DISTRICT

**SUMMARY
FINAL
ENVIRONMENTAL IMPACT STATEMENT
ON
LAKE TOHOPEKALIGA EXTREME DRAWDOWN AND HABITAT
ENHANCEMENT PROJECT**

OSCEOLA COUNTY, FLORIDA

The Florida Fish and Wildlife Conservation Commission (FWC) has requested an extreme drawdown of Lake Tohopekaliga (Toho) for the purpose of improving fish and wildlife habitat quality. Restricted water levels, put into place by the U.S. Army Corps of Engineers (Corps), have contributed to the current decline in fish and wildlife habitat. Water levels on Lake Toho are regulated by water control structures constructed by the Corps as a part of the Central and Southern Florida Flood Control Project and operated and maintained by the South Florida Water Management District (SFWMD) based on criteria approved by the Corps.

Lake Toho is an approximately 22,000-acre lake located in the Upper Kissimmee Chain of Lakes. The drainage basin is 620 square miles, which includes the cities of Orlando, Kissimmee, and St. Cloud. Located in Osceola County and adjacent to the city of Kissimmee, Lake Toho is a valuable economic resource to the local cities, counties, and the State of Florida. Primary use of the lake is recreation and flood control. Other lakes that are included in the Kissimmee River Chain of Lakes are Lakes Hatchineha, Cypress, and Kissimmee and are sized at around 14,000 acres, 5,500 acres, and 40,000 acres, respectively. It is also proposed by FWC under Department of Army (DA) permits to perform muck removal operations while the lakes are at low levels. The muck removal aspect of the project is being reviewed through the Corps regulatory permit process. Benefits of the proposed action would be removal of organic sediments and associated vegetation in Lake Toho, improved habitat for fisheries, improved boating access to and from docks, improved recreational use, and enhancement of native aquatic plant life. Adverse impacts would be temporary limited boat access between and on the lakes during the drawdown due to low water levels, and creation of inlake disposal islands. Impacts on the snail kite are being assessed during formal consultation with US Fish and Wildlife Service (USFWS).

This Final Environmental Impact Statement (FEIS) provides documentation of the evaluation and analysis of the proposed action plus two other alternatives. There were originally twelve alternatives considered, but after a brief evaluation, many of these were determined not feasible, and therefore were not pursued. There are three alternatives evaluated in this EIS: Alternative 1, which is identified as Gravity Flow only; Alternative 4w, Gravity flow with flexible refill; and Alternative 10, No action. Gravity flow with flexible refill of the lakes is the preferred alternative.

In response to a scoping letter sent out in November of 2000, the following concerns were raised: impacts to snail kites and other endangered or threatened species; impacts of spoil islands in the lake; effects of the drawdown on groundwater; the use of catch and release fishing practices during the drawdown; consideration of nutrient loads to Lake Okeechobee; and exotic wildlife populations on Paradise and Makinson Island.

Comments on the Draft EIS, which was noticed in the Federal Register on January 18, 2002, dealt primarily with concerns about water and sediment quality, objections to in-lake disposal of the material, concerns that all necessary permits (particularly a Consumptive Use Permit) be obtained, requests for more justification about the benefits to fish and wildlife of the project, concerns that all feasible alternatives be evaluated in the EIS, concerns for the Kissimmee River, concerns about effects of the drawdown on groundwater, and concerns for the snail kite.

Areas of controversy identified at this time include possible adverse effects from temporary restriction of navigational access; impacts to snail kites; effects of in-lake disposal islands; potential loss of revenue to local fish camp operators, marinas, and other fishing-related businesses during the drawdown; and groundwater effects.

Need or Opportunity. Lake drawdown alternatives have been identified to address problems associated with degraded habitat that has occurred as a result of long-term stabilized water levels.

Major Findings and Conclusions. Benefits of the proposed lake drawdowns would be reduction of muck, aquatic vegetation, improved littoral zone habitat, and an improved recreational fishery. Adverse impacts would include temporary navigational constraints during the drawdown and demucking periods, and loss of wetlands through in-lake disposal. Assessments of the effects on the endangered snail kite are being formally coordinated with the U.S. Fish and Wildlife Service (USFWS).

**FINAL ENVIRONMENTAL IMPACT STATEMENT
ON
LAKE TOHOPEKALIGA EXTREME DRAWDOWN AND HABITAT
ENHANCEMENT PROJECT**

OSCEOLA COUNTY, FLORIDA

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APPENDIX G**SECTION 7 CORRESPONDENCE**

Page	Written By:	Date	Subject
G-1	Corps	02/22/2001	Request List of endangered species for project area
G-2	USFWS	05/07/2001	Provides information requested on 02/22/2001
G-14			Bald Eagle Nest Locations
G-15	Corps	05/31/2001	Informal Consultation – determination of no adverse effect on T&E species stated by Corps
G-17	USFWS	06/26/2001	Does not concur with Corps determination. Meeting scheduled for July 25, 2002 to further discuss issues
G-20	USFWS	10/05/2001	States that request for formal consultation and Biological Assessment be provided by The Corps
G-29	Corps	02/13/2002	Biological Assessment provided
G-46	USFWS	03/07/2002	Request for additional information
G-49	Corps	04/05/2002	Modified Biological Assessment provided
G-57	USFWS	04/10/2002	States that draft Biological Opinion will be delivered within 90 days (07/03/2002)